

ERIC M. FRIEDBERG
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PROFESSIONAL EXPERIENCE

STROZ FRIEDBERG, LLC

Co-President

New York, NY

January 2001 to Present

As Co-President, responsible for overall management of consulting and technical services firm with offices in New York, Washington D.C., Los Angeles, and Minneapolis specializing in digital forensics, computer investigations, electronic discovery and private investigations.

- Manage business development, recruiting, compensation, expansion, marketing, and technology infrastructure matters.
- National leader in responding to all forms of computer crime and abuse, including cyber-extortions, theft of trade secrets, leaks of confidential information, hacks and unauthorized access, denial of service attacks, illegal electronic surveillance, cyber-stuffing, cyber-squatting, typo-squatting, domain name hacks, key-logging, and Internet-based harassment.
- Supervises the digital forensics laboratories at the firm and has managed numerous forensic assignments for major law firms and corporations in criminal, civil, regulatory and internal corporate matters, including cases involving wiping and mass deletion of data, and computer-enabled theft of trade secrets, harassment and hacking.
- Thought-leader in electronic discovery consulting, having authorized numerous book chapters and scholarly articles on electronic discovery strategy and technology. Manages numerous electronic discovery projects in civil and regulatory proceedings, many of which are global in scope and require the preservation, processing and production of electronic data from hundreds of computers, servers, PDAs and removable media.
- Court-appointed third-party electronic discovery/digital forensics expert in Four Seasons Hotels v. Consorcio Barr, No. 01-4572-CIV (S.D. Fla.); and Harvest Court v. Nanopierce, No. 602281-01 (New York Supreme Court).
- Significant cases include:
 - Solved case in which ex-employees were remotely accessing without authorization the e-mail of the Chairman, legal counsel, and in-house investigator of public company for six months. Oversaw development and of evidence, including log analysis; initiated and conducted liaison

with United States Secret Service, which led to prosecution and conviction of the offender.

- Led digital forensics team in analysis of an investment banker's multiple laptop computers, determining that a critical memorandum accusing another baker of foreign corrupt practices violations was forged. Expert report led investment banker to confess.
- Led digital forensic team in analyzing an intrusion into an FTP server on which protected customer identity data was stored. Concluded that intruder did not access customer data, facilitating decision by company to not report under data breach notification statutes.
- Led investigative team in determining who leaked sensitive internal company e-mails and information to Wall Street analysts covering the company. Oversaw forensic analysis of subjects' computers and matched snail-mailed information received by analysts to data on the computer of a single subject within the corporation. Oversaw linguistic analysis of snail-mailed cover letter to analysts. Matched linguistic anomalies to anomalies in known writings of the subject. Oversaw private investigation which led to the postal clerk identifying the subject's father as the person who snail-mailed the letters in question.
- Led digital forensic examination of two laptop computers belonging to a CFO in an internal investigation into "trading with the enemy" allegations. Established that just before he relinquished his computers to investigators, the CFO deleted folders relating to trading with Iran. Conclusions supported termination for cause.
- Oversaw preservation, culling, and processing of laptop, desktop, server, PDA, removable media data from over 60 lawyers and paralegals in six of law firm's domestic offices, in response to a threatened malpractice case. Gained expertise in how to conduct an electronic discovery project within a law firm environment, where there are unique issues relating to commingled, privileged data.
- Oversaw development of proprietary techniques to key-word search Korean-language data in antitrust inquiry. Oversaw establishment of on-site, overseas laboratory in Seoul to facilitate confidential data processing.
- Oversaw multi-year electronic discovery project for Audit Committee of public company in accounting fraud scandal. Gathered and processed data from over 550 custodians for response to regulatory and civil subpoenas. Conducted deep forensic analysis relating to possible illegal destruction of data.
- Led cyber-crime response team in identifying location within a corporate network of illegally installed "sniffer" program that was covertly capturing corporate instant message traffic. Led forensic team in analyzing laptop on which sniffer was running to identify internal employees who installed sniffer and accessed sniffed IMs.

Conducted interviews of multiple IT staff members, obtaining confessions from some and exonerating others in illegal scheme.

As General Counsel, responsible for supervision of outside counsel and performance of all internal legal work, including negotiation, drafting and review of licensing, retainer, subcontractor, employment, and lease agreements. Manage legal aspects of internal employment matters. Supervise evolution of LLC agreement. Give Continuing Legal Education programs for law firm and government clients.

UNITED STATES ATTORNEY'S OFFICE, E.D.N.Y.

Senior Litigation Counsel, November 1999 to December 2000

Computer and Telecommunications Coordinator, December 1997 to December 2000

Chief, Narcotics Unit, December 1994 to November 1997

Deputy Chief, Narcotics Unit, January 1993 to November 1994

Line Assistant, April 1989 to December 1992

New York, NY

As Computer and Telecommunications Coordinator:

- Investigated and prosecuted cases involving computer hacks, denial of service attacks, Internet-related trade secret theft, criminal trademark and copyright infringement, computer hardware and software counterfeiting, telecommunications billing fraud, and illegal electronic surveillance.
- Participated in the establishment of enforcement policy, built relationships with client agencies, and supervised up to five Assistant U.S. Attorneys.
- Investigated telecommunications fraud case using one of first government e-mail wiretaps.

As Chief of Narcotics and in other positions:

- Investigated, litigated, and handled appeals of complex cases involving narcotics trafficking, money laundering, drug-related violence, racketeering, securities fraud, and public corruption. Numerous trials, ranging from one to eight weeks in length.
- Participated in the establishment of narcotics and money laundering enforcement policy, built relationships with client agencies, and supervised up to 15 assistant U.S. Attorneys and two Deputy Chiefs.
- Received 1994 Department of Justice Award for Superior Performance for investigation and prosecution of six accomplices in Cali Cartel-ordered assassination of Manuel de Dios Unanue, the former editor-in-chief of *El Diario*.

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
Associate Attorney, Litigation Department
New York, NY
1983 to 1989

- Participated in all phases of intellectual property, takeover, general commercial and products liability litigation, including two jury trials and several preliminary injunction hearings.

EDUCATION

BROOKLYN LAW SCHOOL
J.D. 1983, *magna cum laude*

BRANDEIS UNIVERSITY
B.A. Philosophy, 1978, *cum laude*
Varsity soccer, 1973, 1974, 1975

PUBLICATIONS

October 2006: Co-authored Lost Back-up Tapes, Stolen Laptops and Other Tales of Data Breach Woe, an article published in Computer and Internet Lawyer

September 2005: Co-authored Chapter Nine entitled "Electronic Discovery Technology" of Adam Cohen and David Lender's treatise Electronic Discovery: Law and Practice

July 2005: To Recycle or Not to Recycle, That Is The Hot Backup Tape Question, a white paper published in the Practising Law Institute's Fifth Annual Municipal Law Institute course materials

May 2004: Co-authored Chapter One, entitled "Your Company's Computer System," of the book E-Discovery: A Guide for Corporate Counsel, published by Sills Cummis Epstein & Gross P.C.

January 2004: To Cache a Thief: How Litigants and Lawyers Tamper with Electronic Evidence and Why They Get Caught, an article published in The American Lawyer magazine

November 2003: Co-authored 21st Century Forensics: Searching for the 'Smoking Gun' in Computer Hard Drives, an article published in The Prosecutor, the monthly publication of the National District Attorneys Association

LECTURES

February 21, 2007: Led a panel discussion before the members of the Greater New York Chapter of the Association of Corporate Counsel (ACCA) entitled, "Compliance: Using Computer Forensics to Ensure Process/Protocol"

December 6, 2006: Participated in a panel discussion entitled, "Fundamentals of e-Discovery" for the New York State Bar Association

December 5, 2006: Participated in a panel discussion entitled, "Identity Theft: Understanding the New Laws and Ways to Protect Your Clients and Yourself From Becoming a Victim" at the Association of the Bar of the City of New York

November 29, 2006: Participated in a webinar entitled, "Proskauer on Privacy: The Government and Privacy"

November 10, 2006: Participated in a panel discussion entitled, "Forensics in e-Discovery" at Georgetown Law Center

November 6, 2006: Gave a lecture entitled, "Data Breach Notification: Technology, Strategy, and Law" to the members of the ACCA of Greater New York

March 16, 2006: Gave a lecture entitled, "Computer Forensics: Technology, Strategy and Law" to the Communications and Media Law Committee of the New York City Bar Association

February 2, 2006: Gave a lecture entitled, "Computer Forensics: Technology, Strategy and Law" at Brooklyn Law School

March 16, 2005: Gave a lecture entitled, "Computer Forensics: Technology, Strategy and Law" to the Communications and Media Law Committee of the New York City Bar Association

October 27, 2005: Participated in a panel discussion about "Electronic Discovery in Litigation and What it Means for the European Company" at the Fall 2005 meeting for the International Section of the American Bar Association

July 27, 2005: Gave a presentation on "Electronic Discovery" for the Practicing Law Institute's Fifth Annual Municipal Law Institute

April 6, 2005: Participated in a panel presentation with Hon. Shira A. Scheindlin, United States District Judge, Southern District of New York; Hon. Ira Warshawsky, Supreme Court Judge, Nassau County; and David J. Lender, Esq., Weil Gotshal & Manges LLP on "E-Discovery: The Basics and Beyond" at the New York State Judicial Institute

February 23, 2005: Gave a lecture entitled, "Computer Forensics in Support of Litigation" to the Association of the Bar of the City of New York

January 12, 2005: Gave a presentation entitled, "Handling Child Pornography Discovered During a Forensic Examination," at the Quarterly Meeting for the New York Electronic Crimes Task Force (NYECTF) of the United States Secret Service and John Jay College of Criminal Justice

October 1, 2004: Gave a lecture entitled "To Cache a Thief: E-Evidence Tampering," which addressed using computer forensics to determine whether electronic documents were tampered with or are authentic, at the Association of Legal Administrators Region 5 Educational Conference

EXPERT TESTIMONY

September 29, 2003: Testified before the New York State Legislature's Temporary Joint Committee on Disaster Preparedness and Response and the Senate Committee on Veterans, Homeland Security and Military Affairs: "Protecting New Yorkers from Cyberterrorism."

PROFESSIONAL AFFILIATIONS

- Member, New York Electronic Crimes Task Force
- Member, Information Technology Law Committee of the New York City Bar Association

- Member, E-Discovery Subcommittee of the New York State Bar Association's Commercial and Federal Litigation Section
- Member, The Sedona Conference Working Group on Electronic Document Retention